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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/760,679	
	Filing Date	January 16, 2001	
	First Named Inventor	Macmillan M. Wisler et al.	
	Art Unit	2862; Confirmation No.: 4076	
	Examiner Name	Reena Aurora	
Total Number of Pages In This Submission	20	Attorney Docket Number	414-16782-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard; Appendix A and B
<b>Remarks</b>		
The Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0429 (414-16782-US)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Todd A. Bynum, Reg. No. 39,488
Signature	
Date	March 8, 2004

## CERTIFICATE OF TRANSMISSION/MAILING

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	March 8, 2004	

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BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of: Macmillan M. Wisler et al. § Appeal No. \_\_\_\_\_  
U.S. Serial No.: 09/760,679 §  
Filed: January 16, 2001 § Group Art Unit: 2852  
For: "Method and Apparatus for § Examiner: Reena Aurora  
Measuring Resistivity and Dielectric §  
In a Well Core in a Measurement § Confirmation No.: 4076  
While Drilling Tool" § Docket No. 414-16782-US

**BRIEF FOR APPELLANTS (37 CFR §1.192)**

MS Appeal Brief - Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Appellants hereby submit their brief on appeal from the decision rendered by the Examiner finally rejecting claims 2-14, 16-26, 28-34 and 36-41, mailed October 9, 2003 (OFFICE ACTION), in furtherance of the Notice of Appeal filed January 7, 2004.

The fees required under 37 CFR §1.17(c), and any required petition for extension of time for filing this brief and fees therefor, are dealt with in the accompanying Transmittal of Appeal Brief.

This Brief is transmitted in triplicate.

The final page of this brief bears the attorney's signature.

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03/17/2004 TSTEPTOE 0000002 CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR §1.10

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Beth Pearson-Naul

3-8-04  
Date

It is respectfully submitted that it appears as if the only way one of ordinary skill in the art could make the above changes to result in the claimed invention herein would be to use the Appellants' claims improperly as a hindsight guide.

Furthermore, with respect to claims 28-34 and 36-41, the Examiner has failed to present a prima facie case of obviousness, because the suggested combination of references does not teach or suggest the claimed symmetrical arrangement of at least two transmitters and at least two receivers.

**IX. PRAYER FOR RELIEF**

It is respectfully submitted that the rejections of the claims have been overcome and/or avoided by the arguments presented above. It is further respectfully requested that the Board reverse the final rejections of the Examiner. The Examiner and/or the Board are encouraged to call the Appellants' attorney at the number below for any reason that may advance prosecution of the case.

Respectfully submitted,



Todd A. Bynum  
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